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8 DON BORG

**FILED**  
AUG 21 2008  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

*Apple*  
*TND*

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

11 DON BORG,

12 Plaintiff,

13 vs.

14 PRINCIPAL LIFE INSURANCE CO.,  
15 TARGET CORPORATION and DOES 1  
16 through 20, inclusive,

17 Defendants.

No. CIV- 07 3149 JW

NOTICE OF APPEAL

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19  
20 PLAINTIFF DON BORG HEREBY APPEALS TO THE US COURT OF APPEALS FOR THE  
21 NINTH CIRCUIT, FROM THIS COURT'S ORDER AND JUDGMENT OF ON OR ABOUT  
22 JULY 24 2008 DISMISSING HIS CASE AND GRANTING DEFENDANTS' MOTION TO  
23 DISMISS/MOTION FOR SUMMARY JUDGMENT.

24 DATE 8-21-08

25 *[Signature]*  
26 STANLEY G HILTON

27 ATTORNEY FOR PLAINTIFF BORG  
28

**PROOF OF SERVICE**

I AM NOT A PARTY, AM OVER 18, AND ON AUG. 21, 2008 IN SAN JOSE, CA I MAILED A COPY OF THE FOREGOING

NOTICE OF APPEAL

WITH 1ST CLASS POSTAGE ATTACHED, ADDRESSED TO  
DEFENDANT'S COUNSEL:

MORRISON AND FOERSTER  
425 MARKET ST.  
SAN FRANCISCO, CA 94105

DATE 8-21-08

  
STANLEY G. HILTON